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Appl. No. 10/045,346

APP 1459



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Applicant: P. Agrawal et al
Appl. No.: 10/045,346
Filed: Oct 23, 2001
Title: Switching Telephone Calls Between Wireline and Cellular Telephones
Grp./A.U.: 2685
Examiner: N. Mehrpour

DECLARATION
37 C.F.R 1.131

I, Joseph A. D'Avanzo of Lincoln Park, in the county of Morris, and State of New Jersey hereby declares and states that:

I am currently the Intellectual Property Manager of the Patent Organization of Telcordia Technologies, Inc., the assignee of the above identified patent application, and prior to Dec. 30, 1998, I held the same position at Bell Communications Research, Inc. (Bellcore), the predecessor company to Telcordia Technologies, Inc.

Among my responsibilities in 1998 were the receipt of patent disclosures from employees of Bellcore for patent consideration, the interactions with outside counsel to whom any such disclosures might be assigned for preparation of patent applications, and the supervision of the employees of Bellcore responsible for the preparation of the formal papers for such applications, the obtaining of necessary signatures, and the mailing of such applications.

In August 1998 I received a memorandum dated August 19, 1998 from Nim K. Cheung, submitting a patent disclosure entitled "A Cellular Fixed Call Transfer Service from Cellular Network Provider", by P. Agrawal and P. Ramanathan, the inventors of the above-identified patent application. A copy of the Cheung memorandum is attached hereto as Exhibit I, and a copy of the attached patent disclosure is attached hereto as Exhibit II.

Upon approval to seek patent protection for this disclosure, I forwarded it to John T. Peoples, an outside patent attorney, with my letter of August 21, 1998, copy attached hereto as Exhibit III. This patent disclosure was initially identified as Bellcore Job 3037 and, when the parent of the above identified application was prepared, was subsequently identified as Bellcore APP 1151 US. Mr. Peoples then prepared eight patent applications, four of which were based upon the disclosure of Job 3037 including the parent of the

above identified application, and forwarded diskettes containing these applications to me with his letter of December 16, 1998, copy attached hereto as Exhibit IV.

Pursuant to my instructions, as set forth in my handwritten note of Dec. 17, 1998, copy attached hereto as Exhibit V, my assistant, Mrs. Valerie Harris, then prepared the formal papers which required her sending e-mail to the inventors to obtain their home addresses; copies of these e-mails are attached hereto as Exhibits VI A and VI B. On Dec. 23, 1998, just prior to the Christmas holiday, Mrs. Harris shipped the Declaration and a copy of the application to Mr. Ramanathan by DHL; copies of the Shipment Airwaybill and Shipment receipt are attached hereto as Exhibits VII A and VII B, respectively.

The Declaration for the parent application was signed by inventor Ramanathan on Dec. 28, 1998, and returned to Bellcore and was then signed by inventor Agrawal on Dec. 29, 1998. The application APP 1151 was mailed to the USPTO on Dec. 30, 1998.

Mrs. Harris is no longer in the employ of Telcordia Technologies, Inc. However, I am personally aware of all of her activities, as detailed above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Joseph A. D'Avanzo

Dated: 1/29/03